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To <steven.siegel@sol.doi.gov>  
cc <Barbara\_Maxfield@fws.gov>, <john\_klavitter@fws.gov>, <carlton\_morris@fws.gov>  
bcc  
Subject GeoEngineersReport on Midway Atoll Lead Poisoning Remediation

Mr. Siegel,

Thank you for your call and our discussion on October 22 in response to my efforts to obtain a copy of the draft of the Engineering Evaluation/Cost Analysis by GeoEngineers, Inc. on the lead paint poisoning of avian species on Midway, including Laysan Albatrosses. John Klavitter had directed me to you and had advised me that you were willing to answer questions that I may have.

You had mentioned that the release of the revised GeoEngineers report was targeted for sometime in December. I understand that the Report is close to or ready for release and I was hoping you would send me a copy to review and comment upon. You would not allow a draft copy to be released to me. When we spoke, I indicated to you that a Ms. Maxfield had written me in August that the final report should be finalized by October and then published for public comment.

I mentioned my concern that a delayed release might jeopardize the window of opportunity to correct the lead poisoning problems in August-November when the albatrosses and other nesting seabirds are off of Sand Island. Will this delay in releasing the revised report in any way delay implementation of remediation measures?

DOI has known since at least 1987 that Laysan Albatross chicks were being poisoned by lead paint on Sand Island. See Sileo, L. and S.I. Fefer. 1987. Paint Chip Poisoning of Laysan Albatross at Midway Atoll. Journal of Wildlife Disease. 23(3):432-437. While with American Bird Conservancy, beginning in 2004, we repeatedly raised this issue in high level meetings with Interior officials, including Deputy Secretary Lynn Scarlett, and the then FWS Chief of Refuges, Bill Hartwig. Along with Dr. Myra Finkelstein we pressed for lead paint remediation on Sand Island.

The Midway Ecological Risk Assessment, published in December 2009 by the U.S. FWS, confirmed our concerns and concluded that "Based on the findings of this PA/SI, the FWS concludes that hazardous substances have been released, as defined in Section 101 (22) of CERCLA, and there is a substantial threat of ongoing and future releases into the environment at Midway Atoll that pose an imminent and substantial threat to the public health or welfare or the environment and a removal action is appropriate to address the lead contamination."

These same hazardous waste specialists found that: "Lead paint that is peeling from the buildings and the lead contaminated soil is affecting approximately 6,674 Laysan albatross chicks each year. This number indicates approximately 1.5% of Midway's chicks are affected annually (Klavitter 2004)."

Dr. Myra Finkelstein and her co-authors, including John Klavitter, in late 2009 published *Assessment of demographic risk factors and management priorities: impacts on juveniles*

*substantially affect population viability of a long-lived seabird* in a peer-reviewed journal and found that "for Laysan albatross that breed on Sand Island up to 7% of chicks on Sand Island fail to fledge as a result of lead poisoning, which will create a 16% reduction in the Laysan albatross population size (190,000 less birds) at 50 years into the future. We demonstrate how straightforward management actions that increase juvenile survivorship (e.g. removal of lead-based paint) can help slow population declines..."

Now as we approach 2011 and the Laysan Albatrosses are incubating their eggs, undoubtedly their new chicks again will be poisoned by lead paint on a national wildlife refuge whose principal management objective "is to enhance the quality of habitat for the full diversity of nesting seabird species."

Would you please assure the timely release of the GeoEngineers report and the contracting for remediation of both buildings and contaminated soils that are poisoning thousands of albatrosses? Isn't it time to end this unnecessary killing of these naturally low reproducing and normally long-lived birds?

Thanks for your attention to this matter and my best to all of you for this Christmas season and for you and the albatrosses for the New Year. May you, the albatrosses, your children and the albatrosses off spring be free from lead paint poisoning in the coming years.

Gerald W. Winegrad

**"I NOW BELONG TO AS HIGHER CULT OF MORTALS, FOR I HAVE SEEN  
THE ALBATROSS"**

*Robert Cushman Murphy, 28 October 1912*

**"WITH HIS CRUEL BOW HE LAID FULL LOW THE HARMLESS  
ALBATROSS."**

*Samuel Taylor Coleridge, Rime of the Ancient Mariner*